

AMENDMENTS TO THE CLAIMS:

Please amend the claims as follows:

1. (Currently Amended) A restraining and protecting apparatus for a vehicle occupant comprising:

a seat belt to restrain a vehicle occupant on a seat;

a belt adjusting unit to adjust a tensile state in which said vehicle occupant is restrained using said seat belt by increasing or decreasing said seat belt to be drawn out in length;

a belt locking mechanism to prevent said seat belt from being drawn out by locking said seat belt;

an immediately-before-collision ~~“immediately before collision”~~ signal producing section to produce and output an immediately-before-collision ~~“immediately before collision”~~ signal immediately before occurrence of a collision of said vehicle;

a locking signal producing section to produce and output a locking signal when it is predicted at least that said belt locking mechanism is in a lockable state where inhibition of drawing out is made possible when said seat belt is going to be drawn out;

a controlling section to control said belt adjusting unit based on said immediately-before-collision ~~“immediately before collision”~~ signal to be input and said locking signal to be input; and

wherein said controlling section exerts control in a manner that, when the immediately-before-collision ~~“immediately before collision”~~ signal is input, said belt adjusting unit increases said tensile state in which said vehicle occupant is restrained using

said seat belt and that, when said locking signal is not input, said belt adjusting unit weakens said tensile state in which said vehicle occupant is restrained using said seat belt.

2. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to claim 1,

wherein said belt locking mechanism in said lockable state, when said belt adjusting unit is controlled by said controlling section so as to increase said tensile state in which said vehicle occupant is restrained using said seat belt, is put in a state of releasing locking in which said seat belt is able to be drawn out.

3. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to claim 1,

wherein said controlling section exerts control so that, while said locking signal is input, said belt adjusting unit increases and maintains said tensile state in which said vehicle occupant is restrained using said seat belt.

4. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to claim 3,

wherein said controlling section exerts control so that said belt adjusting unit, when a predetermined time has elapsed after said locking signal has been input, weakens said tensile state in which said vehicle occupant is restrained using said seat belt.

5. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to Claim 1;

wherein said controlling section exerts control when said immediately-before-collision ~~“immediately before collision”~~ signal is input so that said belt adjusting unit increases said tensile state in which said vehicle occupant is restrained using said seat belt and that said belt adjusting unit, when said tensile state in which said vehicle occupant is restrained using said seat belt ~~is changed~~ comes to a tensile state in which said vehicle occupant is restrained to a predetermined extent and when said locking signal is not input, weakens said tensile state in which said vehicle occupant is restrained using said seat belt.

6. (Previously Presented) The restraining and protecting apparatus for a vehicle occupant according to claim 1,

wherein said locking signal producing section outputs said locking signal when at least part of conditions under which drawing of said seat belt is inhibited by said belt locking mechanism is met.

7. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to Claim 6, wherein said seat belt is locked under a condition that acceleration in a back-and-forth or lateral direction of said vehicle exceeds a predetermined value.

8. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to Claim 6, wherein said seat belt is locked under a condition that acceleration at which said seat belt is drawn out exceeds a predetermined value.

9. (Previously Presented) The restraining and protecting apparatus for a vehicle occupant according to Claim 7, wherein said acceleration includes acceleration in a direction being reverse to a direction of a velocity of said vehicle.

10. (Previously Presented) The restraining and protecting apparatus for a vehicle occupant according to Claim 1, wherein said locking signal producing section, when a state in which said belt locking mechanism is in a lockable state is detected, outputs said locking signal.

11. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to Claim 1, wherein said belt adjusting unit ~~has~~ includes a motor to retract said seat belt and wherein said controlling section, where said immediately-before-collision ~~“immediately before collision”~~ signal is input, controls said motor to increase its driving power and to increase said tensile state in which said vehicle occupant is restrained using said seat belt and exerts control so that, said belt adjusting unit, when said locking signal is not input, weakens said tensile state in which said vehicle occupant is restrained using said seat belt.

12. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to claim 11,

wherein said controlling section, while said locking signal is input, controls said motor serving as said belt adjusting unit so as to have said seat belt retracted.

13. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to Claim 1, wherein said immediately-before-collision ~~“immediately before~~

~~collision~~" signal producing section, based on a detection signal obtained from a non-contact type distance sensor, calculates a speed of said vehicle relative to an obstruction existing in a front of said vehicle and, based on a result from calculation, judges as to whether there is a possibility of occurrence of collision between said vehicle and said obstruction and also judges, when there is a possibility of collision, as to whether said avoidance of collision is possible or not.

14. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to Claim 1, wherein said immediately-before-collision ~~"immediately before collision"~~ signal producing section, when a detection of an operation for collision avoidance is made, outputs said immediately-before-collision ~~"immediately before collision"~~ signal.

15. (Currently Amended) The restraining and protecting apparatus for a vehicle occupant according to Claim 14, wherein said immediately-before-collision ~~"immediately before collision"~~ signal producing section outputs said immediately-before-collision ~~"immediately before collision"~~ signal when detection of a rapid brake operation or a rapid handle operation for collision avoidance is made by being recognized that acceleration in a back-and-forth or lateral direction of said vehicle exceeds a predetermined value.